

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

YANG YANG,

Plaintiff(s),

vs.

BUFFALO RANCH HOMEOWNERS
ASSOCIATION, et al.,

Defendant(s).

Case No. 2:15-cv-01246-LDG-NJK

ORDER

(Docket No. 29)

Pending before the Court is a stipulation to stay discovery, filed on December 16, 2015. Docket No. 29. For the reasons discussed below, the stipulation is hereby **DENIED** without prejudice.

The Court expects parties to diligently pursue discovery once they have conducted the Rule 26(f) conference. *See* Fed. R. Civ. P. 26(d)(1). In this instance, that conference took place more than four months ago. *See* Docket No. 29 at 1. Moreover, discovery in this matter is currently set to close on January 19, 2016. *See* Docket No. 18. As such, the majority of discovery should already be completed in this case. Given this procedural history, it is not clear to the Court that staying discovery shortly before the discovery cutoff would be appropriate.

Second, with respect to the stipulation's reliance on the pendency of a motion for summary judgment, the Court notes that the motion was brought by only one of the defendants. *See* Docket No. 24. Courts generally do not allow stays of all discovery as to all defendants when the pending dispositive motion providing the basis of the stay was not brought by all defendants. *See, e.g., White*

1 v. *American Tobacco Co.*, 125 F.R.D. 508, 509 (D. Nev. 1989) (denying motion to stay discovery
2 against one defendant where motion to dismiss filed by another defendant and no joinder was filed).

3 Given these concerns, the pending stipulation is **DENIED** without prejudice. Any renewed
4 stipulation must explicitly address these issues and explain why the relief sought is nonetheless proper.

5 IT IS SO ORDERED.

6 DATED: December 28, 2015

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NANCY J. KOPPE
United States Magistrate Judge